IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

Bail Appl..No. 1943 of 2007()

CRIME NO. 65 OF 2007 OF KALAMASSERY POLICE STATION

PETITIONER :

SAM C.GEORGE,AGED 31,S/O.GEORGE ABRAHAM,
27/598,CHAKKALAYIL HOUSE,UNIVERSITY P.O,
KALAMASSERY,KOCHI-22.

BY ADV. SRI.JOSEPH GEORGE

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
S.I OF POLICE,KALAMASSERY POLICE STATION,
ERNAKULAM DISTRICT,BY PUBLIC PROSECUTOR,HIGH COURT
OF KERALA,ERNAKULAM.

BY ADV. PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No. 1943 of 2007

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DATED: 30-03-2007

O R D E R

Petitioner who is the accused in Crime No. 65 of 2007 of Kalamassery Police Station for offences punishable under Sections 188 and 278 of I.P.C. and Sec. 15 of the Environment (Protection) Act, 1986, seeks anticipatory bail.

2. The case of the prosecution is that on 28-2-2007 when the intensity of the sound in the premises of the prayer hall of the petitioner was measured, the noise level was found to exceed 55dB (A) which is the permissible standard for that area.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with

two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.
3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
4. Petitioner shall not commit any offence while on bail.
5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.
6. The noise level in the prayer hall of the petitioner shall not exceed 55dB(A).

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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